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PREL, MOPS, PBTS, KSCA, EPET, SMIG, KCRM, PHUM, KFRD

SUBJECT: INTERNATIONAL MARITIME ORGANIZATION (IMO):
REPORT OF THE 82nd SESSION OF THE MARITIME SAFETY COMMITTEE
(MSC) 29 NOV ? 8 DEC 2006.

11. SUMMARY: The Maritime Safety Committee (MSC) of the International Maritime Organization (IMO) held its 82nd session at the Polat Renaissance Istanbul Hotel in Istanbul, Turkey from 29 Nov ? 8 Dec 2006. The meeting was chaired by MSC vice chairman Mr. N. Ferrar (Philippines) as the Acting Chairman due to the sudden and untimely passing of the Committee Chairman, Mr. I. Ponomarev (Russian Federation). Eighty-nine member states, one state not a member, three associate members, two United Nations specialized agencies, and observers from seven intergovernmental organizations and 29 non-governmental organizations participated. All achievable U.S. objectives were achieved. Major accomplishments of MSC 82 were:

1A. Adoption of amendments to the SOLAS Convention that require protective coating on sea water ballast tanks and double side skin space on bulk carriers;

1B. Adoption of amendments to Chapters II-1, II-2, and III of SOLAS to enhance passenger ship safety including the fire safety of cabin balconies on new and existing passenger ships;

1C. Adoption of amendments to the International Code of Fire Safety Systems (FSS Code), International Life Saving Appliances Code (LSA Code), International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code), International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code) and the International Code of Safety for High-Speed Craft, 1994 and 2000 (1994 HSC Code and 2000 HSC Code);

1D. Approval of a new vessel traffic separation scheme for the approach to Boston, Massachusetts;

1E. Agreement to consider and develop guidelines on maritime security for ships that fall below the size threshold of SOLAS and the International Ship and Port Facility Security (ISPS) Code;

1F. Selection of the International Mobile Satellite Organization (IMSO) for oversight of satellite communications providers for GMDSS and as the Long Range Identification and Tracking (LRIT) Coordinator;

1G. Agreement on a pilot project using the IACS Common

Structural Rules for tankers and bulk carriers to develop the Tier III verification standard for the goal based new ship construction standards under the coordination of the United States;

¶H. Agreement to reconsider the adoption of the proposed revised text of Resolution A.888(21) at MSC 83 on the basis of further comments and proposals from Member States along with consideration by the COMSAR subcommittee of the resolution and the proposals by the U.S. and Spain for amendments to SOLAS Chapter IV to authorize additional GMDSS communications providers; and

¶I. Consideration of the reports of seven subcommittees.
END SUMMARY

¶2. ADOPTION OF AMENDMENTS

¶A. Amended SOLAS regulation II-1/3-2 to require protective coating of all dedicated salt water ballast tanks on all ships and the double side skin spaces on bulk carriers. In addition, the MSC approved the performance standard for the protective coatings;

¶B. Amended numerous regulations in SOLAS Chapters II-1, II-2 and III to enhance the safety of passenger vessels. Focus of amendments is to ensure the ship is "its own best lifeboat" by including requirements regarding propulsion and other vital system functionality to withstand threshold levels of damage and safely return to port or, for more serious damage, ensure there is adequate time to safely abandon the ship;

¶C. Amended SOLAS Chapter II-2 by including fire safety requirements pertaining to balconies on passenger ships;

¶D. Amended SOLAS regulations II-1/55 and III/38 to include standards for alternative design and arrangement of machinery/engineering systems and lifesaving systems, respectively, in order to foster innovation and enhance safety;

¶E. Amended SOLAS Chapter III in numerous places to enhance the lifesaving requirements;

¶F. Amended the requirements in the International Code for Fire Safety Systems (FSS Code) pertaining to foam, water spray and water mist fire extinguishing systems and fire detection systems.

¶G. Amended the requirements in the International Life-Saving Appliance Code (LSA Code) pertaining to survival craft (liferafts, lifeboats, rescue boats) and their launching appliances;

¶H. Amended the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code) to update the fire protection and extinction requirements, the summary of minimum requirements for different chemicals, the list of products to which the Code does not apply, and the index of products carried in bulk;

¶I. Amended the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code) in a number of locations, primarily focused on the fire protection and extinction requirements in Chapter 11;

¶J. Amended the International Code for Safety for High Speed Craft, 1994 (1994 HSC Code), primarily to update the lifesaving appliances and arrangement requirements in line with the latest amendments to SOLAS Chapter III.

¶K. Amended the International Code for Safety for High Speed Craft, 2000 (2000 HSC Code) in numerous locations.

The most significant amendments are to Chapter 2, Buoyancy, stability and subdivision and Chapter 7, Fire safety.

13. MARITIME SECURITY

The Committee established a Working Group on Maritime Security (MSWG) under the Chairmanship of Mr. Jeremy Parkinson (Australia) which was well attended by 57 Contracting Governments and 12 Non-governmental Organizations and Intergovernmental Organizations.

The MSWG focused on security related to vessels which do not fall within the scope of SOLAS chapter XI-2 and the ISPS Code, and on security of closed cargo transport units and of freight containers transported by ships. The Committee approved the MSWG proposal advocated by the USDEL to establish a correspondence group on security aspects of the operation of ships which do not fall within the scope of SOLAS chapter XI-2 and the ISPS Code. This correspondence group will be coordinated by the United Kingdom, with support by Japan and the United States. The group will work to define the threats associated with non-SOLAS ships and prepare draft guidelines, including a list of possible security measures and best practices, for non-SOLAS ships, and report to MSC 83 in October 2007.

The Committee also agreed to continue the work of the joint MSC/Facilitation of Maritime Traffic (FAL) Committee Working Group and tasked this joint working group to conduct a comprehensive review of the need to amend SOLAS and the ISPS Code to be consistent with World Customs Organization (WCO) initiatives associated with the SAFE Framework of Standards. The committee asked Contracting Governments to provide further information and analysis to facilitate such a review at the next meeting of the MSC/FAL WG during FAL 34 scheduled for March 2007.

On other maritime security matters, the Committee approved three MSC Circulars on the following subjects: (1) Amendments to the IMO/ILO/UN ECE Guidelines for packing of cargo transport units; (2) Revised recommendations on the safe transport of dangerous cargoes and related activities

in port areas; and (3) Interim Guidance on voluntary self-assessment by Companies and company security officers (CSOs) for ship security. The Committee also adopted a resolution on the Revision of the guidelines for the prevention and suppression of the smuggling of drugs, psychotropic substances and precursor chemical on ships, and agreed with the MSWG recommendation that it would not be appropriate at this time to make it mandatory for ship silent alarm systems (SSASs) to be included in the list of times to be surveyed by radio inspectors.

14. Long Range Identification and Tracking (LRIT)

The Committee considered U.S. paper MSC 82/8/5 proposing that IMO should, on an interim basis, take on the role of LRIT Coordinator until an intergovernmental organization is legally capable of fulfilling that role. Despite strong interventions by USDEL that designation of the International Mobile Satellite Organization (IMSO) was premature, the Committee rejected the U.S. proposal and designated IMSO as LRIT Coordinator by an overwhelming majority of delegations present. USDEL pointed out that IMSO does not have a ratified amendment to its convention that would permit IMSO to perform the LRIT Coordinator role at this time. USDEL recommended that the Committee establish a contingency plan in the event that IMSO is not able to obtain provisional acceptance of the amendment at an extraordinary session of its assembly, currently scheduled for the first quarter of CY 2007. By a wide margin, the Committee specifically rejected the creation of a contingency plan. The USDEL reserved its position on the designation of IMSO and the lack of a contingency plan. The USDEL stood alone in its reservation, and the decision

was otherwise universally accepted by the MSC Member States. The Committee recommended that the IMO Legal Division prepare draft Memoranda of Understanding to address the selection of IMSO as LRIT Coordinator for review by the Committee.

The Committee approved an MSC Circular on the technical specifications for the LRIT Data Exchange, the International Data Center and the communications within the LRIT System network. Also included in the circular are the protocols for the development testing of the LRIT System and for testing the integration into the system of new LRIT data centers as well as guidance on setting up and maintaining the Data Distribution Plan. Recognizing that the technical specifications required further expert development by the ad hoc group to be established, the Committee agreed to circulate the technical specifications on an interim basis under MSC circular to the nominated LRIT Coordinator and all Member States.

The Committee established a working group (WG) on Engineering Aspects of LRIT to consider the steps necessary to ensure the timely establishment of the LRIT system in light of the impending entry into force date of the LRIT requirements (1 JAN 2008). The WG used as its basis resolution MSC.211(81), Arrangements for the Timely Establishment of the Long-Range Identification and Tracking System.

On the recommendation of the WG, the Committee developed a road map including dates for the timely establishment of LRIT. In addition, the Committee established the Ad Hoc WG on Engineering Aspects of LRIT and approved up to four additional meetings with terms of reference (TOR) which include further updating draft technical specifications and preparing a technical costing and billing standard.

The Committee considered some sample billing and costing policy questions that need to be answered by the Committee before technical billing and costing standards can be developed.

The Committee instructed COMSAR 11 (19 ? 23 February 2007) to consider LRIT issues in its E-Navigation WG. The Committee considered the proposal by the U.S. (MSC 82/8/5) to host the LRIT international data center but deferred any decision until MSC 83 pending input and further submittals to COMSAR 11.

The Committee decided to have LRIT as a separate agenda

item under MSC 83 and agreed to the establishment of an LRIT WG at MSC 83.

15. Goal-based standards for new ship construction (GBS).

The Committee continued to make significant progress this session on the two tracks established at MSC 81. A working group was established and chaired by Sweden.

Bulk carriers and tankers - The Committee approved a pilot project Plan to conduct a pilot verification project with the IACS Common Structural Rules for tankers and bulk carriers. The pilot project will be coordinated by the United States. The Committee decided that the consolidated version of the Tier III (Verification) information and documentation requirements is dependent upon completion of the pilot project. Additionally, the Committee revised the Ship Construction File and added human element considerations to Tier II, Functional Requirements. The Committee established an intercessional correspondence group coordinated by the Sweden to monitor the pilot project.

Safety level approach - The Committee updated the long term workplan to develop goal-based standards using the safety level approach. The Committee established an

intercessional correspondence group coordinated by Germany to further develop this approach.

16. Human Element.

The Committee established a working group (WG) under the chairmanship of Liberia to consider the human element issues.

The Committee agreed to instruct STW 38 (22 - 26 JAN 2007) to: (1) review requirements for seafarers for the issuance of Dangerous Cargo Endorsements (DCE's), (2) consider basic education and familiarization training of seafarers related to automated systems, and (3) consider training recommendations for Integrated Navigation Systems, Integrated Bridge Systems and Engine Room Resource Systems as part of the Comprehensive Review of the STCW Convention.

The Committee approved an MSC Circular on an Interim Scheme for the Compliance of Certain Cargo Ships and Special Purpose Ships with Management for the Safe Operation of Ships which requires the application of ITC Tonnage for determining compliance with the ISM Code.

The Committee agreed to forward document MSC 82/15/3 (UK) to the FSI Sub-Committee for consideration of measures for improving implementation and enforcement of the ISM Code. Additionally, the Committee encouraged Member Governments, intergovernmental organizations and NGO's to submit recommendations and information for the considering measures improving implementation and enforcement of the ISM Code for the next session of the Joint Working Group on the Human Element.

In accepting the work program proposal by the U.S. to enhance the safety of pilot ladders and pilot ship transfers, the Committee instructed NAV 53 (23 - 27 JUL 2007) to take into account ergonomic criteria when considering the design of pilot ladders as well as encouraging member governments, intergovernmental and NGO's to provide human element expertise during future sessions of NAV.

The Committee invites member governments, intergovernmental organizations and NGO's to submit proposals in accordance with the Organizations strategy to address the Human Element to the next session of the Joint Working Group during MEPC 56 (9-13 JUL 2007).

17. Implementation of the Revised STCW Convention.

The Committee reviewed the information and reports from the Secretary General relative to countries giving full and

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complete effect to the Convention and directed the update of circulars MSC.1/Circ.1163 and /Circ.1164.

The Committee reviewed the information submitted in MSC

82/6, Add.1 and 2 and approved competent persons nominated by Governments and directed the update of MSC.1/Circ.797.

18. Subcommittee on Ship Design and Equipment (DE).

The Committee approved, in general, the report of the forty-ninth session of the DE Subcommittee.

The Committee endorsed the view of DE 49 that SOLAS regulations II-1/3-6, containing the provisions for means of access in cargo and ballast tanks, did not apply to tankers converting from single hull to double hull or tankers converting to floating production or storage units. However, if in the course of the conversion, substantial new structures were added, the new structures should comply with the regulation.

The Committee referred the proposal by IACS for an interpretation of SOLAS II-1/1.3 concerning the term ?repairs, alterations and modification of a major character? and regulation II-1/3-6 on ?substantial new structures? to DE 50.

¶9. Subcommittee on Radiocommunications and Search and Rescue (COMSAR).

The Committee approved, in general, the report of the tenth session of COMSAR.

The Committee considered proposed amendments to Resolution A.888 (21) along with proposed amendments to SOLAS Chapter IV by the U.S. (MSC 82/3/2) and Spain (82/8/10) concerning the amendments necessary to permit and approve satellite communications providers in addition to Inmarsat for GMDSS and to provide the necessary oversight of these satellite communications providers. Overwhelmingly, and in opposition to USDEL interventions, the Committee selected IMSO (International Mobile Satellite Organization) as the agency to provide oversight of the GMDSS communications providers. In fact, all delegations who spoke, except the USDEL, supported IMSO in this role. The USDEL reserved its position on the basis that it was premature as IMSO has not enacted or ratified the necessary amendments to its convention to allow it to conduct the oversight. The Committee then referred the issue of amending resolution A.888 (21) and SOLAS Chapter IV to COMSAR 11 for further consideration at MSC 83.

¶10. Subcommittee on Bulk Liquids and Gases (BLG).

The Committee approved, in general, the report of the tenth session of the BLG Subcommittee.

The Committee approved draft SOLAS regulation VI/5-1 making the carriage of material safety data sheets (MSDS) mandatory for the transport of MARPOL Annex I cargoes and marine fuels for circulation and adoption at MSC 83. The committee referred the proposal by IBIA in MSC 82/9/1 concerning the Recommendation for material safety data sheets for MARPOL Annex I cargoes and marine fuel oils to BLG 11 for consideration.

The Committee approved MSC circular on voluntary structural guidelines for new ships carrying liquids in bulk containing benzene.

The Committee endorsed the issuance of BLG/Circ.17 on use of the correct product name in the shipping document for bulk liquid cargoes, BLG/Circ.18 on example of an optional shipping document for the purposes of MARPOL Annex II and the IBC Code, and BLG/Circ.19 on products which have been classified or re-classified since the adoption of the amended IBC Code in 2004.

¶11. Subcommittee on Flag State Implementation (FSI).

The Committee approved, in general, the report of the fourteenth session of the FSI Subcommittee.

The Committee decided it is premature to consider merging the International Safety Management (ISM) and ISPS audits, as proposed by Argentina in document FSI 14/3, due to the divergent purposes of the audits and need to gain more

experience with ISPS. The USDEL strongly opposed merging these audits.

The Committee referred the issue of whether or not to make all or part of the guidelines to prevent accidents with lifeboats (MSC.1/Cier.1206) mandatory to the DE subcommittee and to revisit the issue in order to make a decision by 2010.

The Committee approved circular letter on Implementation of resolution A.600 (15) to formalize the issuing of number at the new building stage.

The Committee endorsed the recommendation of FSI 14 on developing a code of conduct for port state control (PSC) activities at FSI 15.

The Committee referred PSC guidelines on seafarers working hours to both the FSI and STW subcommittees, noting that further review was required, especially in STCW related matters.

The Committee endorsed the view that the LRIT equipment would be surveyed by radio inspectors and adequate provisions are to be included in the Survey Guidelines under the Harmonized System of Survey and Certification (HSSC).

The Committee approved an MSC circular on guidelines for the annual testing of voyage data recorders and simplified voyage data recorders, including the proposed modifications by CIRM in document MSC 82/10/6.

The Committee approved an MSC circular on guidelines for the pre-planning of surveys in dry-dock of ships which are not subject to the enhanced program of inspections.

The Committee referred the proposal by Singapore to include bridge resource management mandatory under STCW to the STW subcommittee for consideration under the agenda item for the comprehensive review of the STCW Convention and STCW Code.

12. Subcommittee on Safety of Navigation (NAV).

The Committee approved, in general, the report of the fifty-second session of NAV.

The Committee approved three new traffic separation schemes (TSS) and amendments to five existing TSS including the approach to Boston, Massachusetts for implementation on 1 July 2007.

The Committee approved a new mandatory ship reporting system in the Galapagos Particularly Sensitive Sea Area and adopted amendments to two other existing mandatory ship reporting systems, for implementation on 1 July 2007.

The Committee adopted by resolution performance standards for the Electronic Chart Display and Information System (ECDIS) and the Performance Standards for shipborne Galileo receiver equipment.

The Committee approved MSC circular on Unified interpretations of SOLAS chapter V.

The Committee adopted proposed amendments to the International Regulations for Preventing Collisions at Sea 1972, as amended, concerning use of distress signals in Annex IV for submission for adoption by the twenty-fifth session of the Assembly (2007).

The Committee approved an MSC circular on the basis of a proposal by Japan, U.S., UK France and Australia on the navigational warnings concerning operations endangering the safety of navigation. This proposal resulted from the missile firings by the Democratic People's Republic of Korea.

13. Subcommittee on Stability, Load Lines and Fishing Vessel Safety (SLF).

The Committee approved, in general, the report of the

forty-ninth session of SLF.

The Committee approved an MSC circular on the Interim Explanatory Notes to the SOLAS Chapter II-1 subdivision and damage stability regulations.

The Committee noted the progress on revising the Intact Stability (IS) Code and SLF's conclusion that both 1974 SOLAS and 1988 LL Protocol should be amended to make Part A of the IS Code mandatory. The Committee also approved three MSC Circulars that provide guidance on alternative assessment of the weather criteria, avoiding dangerous situations in adverse weather conditions, and on the approval of stability instruments.

The Committee approved draft amendments to the stability provisions of the INF Code for circulation and adoption at MSC 83.

The Committee approved an MSC Circular on recommendations concerning tonnage measurement of open-top containerships.

14. Subcommittee on Dangerous Goods, Solid Cargoes and Containers (DSC).

The Committee considered only urgent matters from the eleventh session of DSC.

The Committee adopted MSC resolution on Adoption of the Guidelines for the design and construction of offshore supply vessels, 2006.

The Committee adopted MSC resolution on Adoption of amendments to the Guidelines for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore support vessels (LHNS Guidelines).

The Committee adopted MSC resolution on Adoption of amendments on the Code of Safe Practice for the Safe Loading and Unloading of Bulk Carriers (BLU Code).

The Committee approved MSC circular on Amendments to the Manual on loading and unloading of solid bulk cargoes for terminal representatives.

15. Technical Assistance.

The Committee noted that during the 2004 - 2005 bienniums, a delivery of technical cooperation activities worth US\$27M was achieved which was an increase of US\$1.5M over the previous biennium and the highest level achieved to date under the ITCP. The key outputs during this biennium included 107 national courses, seminars and workshops along with 117 regional courses that resulted in training 7,367 participants world-wide which is an increase of approximately 1000 over the previous biennium.

16. Consultative Status.

The Committee was satisfied with the application and the information provided by IAMU (International Association of Maritime Universities) and decided to recommend to the Council that IAMU be granted consultative status.

17. Next Session.

MSC 83 is scheduled for 3 to 12 October 2007 in London. Major issues to be discussed at MSC 83 include adoption of amendments to SOLAS, maritime security, LRIT, goal based new ship construction standards, and revisions to Resolution A.888(21) and amendments to SOLAS Chapter IV to address oversight of new satellite providers. The MSC will also consider the reports of eight subcommittees.

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